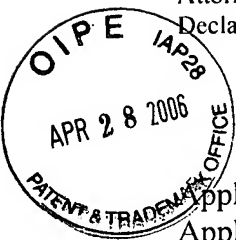


Application No. 10/700,828  
Attorney Docket No. 10020907-1  
Declaration Under 37 CFR 1.131



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thomas W. Stone  
Application Serial No.: 10/700,828  
Filed: November 4, 2003  
For: WAVELENGTH SELECTIVE SWITCHING AND/OR ROUTING SYSTEM

Examiner: Agustin Bello  
Group Art Unit: 2633  
Confirm. No.: 6251

To: Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 CFR 1.131**

Sir:

I, Orlando Lopez, declare that:

1. I am the patent agent/attorney who prepared the above-referenced patent application.
2. Prior to May 29, 2003, the assignee, Agilent Technologies, Inc., contacted the law firm of Perkins Smith & Cohen LLP(now Burns and Levinson LLP) and requested them to file a patent application on the combined Invention Disclosure Nos. 10020907 and 10020912 (copies attached with dates deleted).
3. Prior to May 29, 2003 and during the period from prior to May 29, 2003 until November 4, 2003, I worked on at least ten other cases having Dr. Thomas W. Stone as an inventor and the same assignee as the above-referenced patent application and relating to similar technology. The cases had docket numbers 28579-122, 128, 123, 125, 131, 136, 145, 146 (the above-referenced patent application had docket number 28579-144).
4. Multiple drafts of the patent application were generated by me for review and revision (comments) by the inventor, Thomas W. Stone, including drafts on or about the following dates: January 28, 2003; July 1, 2003; September 9, 2003; October 7, 2003; and October 30, 2003.

5. Each draft patent application improved upon the prior draft until the inventor, Thomas W. Stone, approved the final draft for filing, which was filed as a patent application on November 4, 2003 after execution of documents on November 1st, 2003.

I even further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Orlando Lopez

April 24, 2004  
Date